

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

DELBERT WHITE

PLAINTIFF

VS.

CIVIL ACTION NO. 1:09CV255-NBB-DAS

WILLIAM LEE, ET AL.

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATIONS

On consideration of the file and record of this action, the Court finds that the Report and Recommendations of the United States Magistrate Judge dated July 29, 2010, was on that date duly served upon the parties; that more than fourteen days have elapsed since service of said Report and Recommendations; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the magistrate judge's Report and Recommendations should be approved and adopted as the opinion of the Court. It is, therefore

ORDERED:

1. That the Report and Recommendations of the United States Magistrate Judge dated July 29, 2010, are hereby approved and adopted as the opinion of the Court.

2. That the defendant's motion to dismiss [# 18] is denied as moot; the parties' joint motion to dismiss [# 24] is granted; and the City of Kosciusko, Mississippi is hereby dismissed with prejudice.

THIS, the 24th day of August, 2010.

/s/ Neal Biggers
U. S. DISTRICT JUDGE